

REMARKS

Claim 1-21 are pending. Claims 1-3, 8, 11-13 and 19 have been amended. No new matter has been added. In particular, claims 2-3 and 12-13 have been amended to replace the limitation of “further comprises” with the limitation of “is in communication with.” The amendments to remove the limitations of “further comprises” were not made for any reason related to patentability and do not introduce prosecution history estoppel because they broaden claims 2-3 and 12-13. Claims 8 and 19 have been amended to correct typographical errors.

Claims 1-21 were rejected under 35 USC 102(b) as being anticipated by Rothschild (U.S. Patent 6,152,824). This rejection is respectfully traversed. The Examiner stated on page 2 of the Office Action that “Columns 3-5 disclose a logon application.” Applicants note that the referenced portion of Rothschild discloses that “the Gizmo prompts the (human) user for account information, this comprises a player’s name ... and a secret password.” (Col. 5, lines 26-29.) While Applicants agree that the cited portion of Rothschild discloses a logon application, Applicants respectfully note that independent claims 1 and 11 are not limited to “a logon application.” To the extent that the Examiner contends that the pending claims are limited to “a logon application,” Applicants respectfully request that the Examiner identify those specific limitations in claims 1 and 11.

The Examiner stated on page 2 of the Office Action that “Column 7 discloses a ping protocol.” Applicants note that the referenced portion of Rothschild discloses that “[t]he Gizmo conducts IPS Ping protocol tests to determine the latency from the Gizmo to each candidate MCP.” (Col. 7, lines 39-40.) While Applicants agree that the cited portion of Rothschild discloses the use of a ping protocol, Applicants respectfully note that independent claims 1 and 11 are not limited to the use of “a ping protocol.” To the extent that the Examiner contends that the pending claims are limited to “a ping protocol,” Applicants respectfully request that the Examiner identify those specific limitations in claims 1 and 11.

The Examiner stated on page 2 of the Office Action that “column 6 discloses services offered to the user including buildings lobbies, game rooms, chat functions, games, etc. . . .

Columns 9-11 disclose the game programs and protocols, lobbies and chat rooms.” Applicants note that the referenced portion of Rothschild discloses software objects including “Buildings (B) 552, Lobbies (L) 553, Game Rooms (GR) 554, Chat Game Connections (CGC) 555.” (Col. 6, lines 47-50). While Applicants agree that the cited portion of Rothschild discloses the recited software objects, Applicants respectfully note that independent claims 1 and 11 are not limited to the use of those software objects. To the extent that the Examiner contends that the pending claims are limited to services including buildings, lobbies, game rooms, chat functions, Applicants respectfully request that the Examiner identify those specific limitations in claims 1 and 11.

Applicants do not disagree with the Examiner’s statement that Rothschild discloses “protocols” and Applicants note the disclosure of a “Game Upper Level Protocol Server.” (Col. 10, lines 66-67.) Applicants respectfully note that independent claims 1 and 11 are not limited to the use of a game upper level protocol server. To the extent that the Examiner contends that the pending claims are limited to a game upper level protocol server, Applicants respectfully request that the Examiner identify those specific limitations in claims 1 and 11. Applicants do not disagree with the Examiner’s statement that Rothschild discloses “games” and “game programs.” However, Applicants respectfully assert that such a general disclosure of games and game programs is insufficient to show anticipation of the invention described in claims 1 and 11. For at least the reasons detailed above, withdrawal of the rejections is respectfully requested.

Applicants have amended claim 1 to include the limitation of at least one application programming interface for the one or more game modules and Applicants have amended claim 11 to include the limitation of passing at least one parameter through an application programming interface defining at least one parameter. Applicants note that Rothschild does not disclose these limitations in connection with the claimed system. For at least this additional reason, withdrawal of the rejections is respectfully requested.

The Applicants respectfully submit that they have shown the patentability of at least the independent claims and that, accordingly, all dependent claims are themselves patentable insofar as they depend from patentably distinct independent claims. The Applicants make this assertion

without reference to the independent bases of patentability contained within each dependent claim. Accordingly, the Applicants respectfully request the Examiner withdraw his rejections and allow all pending claims.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, Applicants petition for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. 559442001100.

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Respectfully submitted,

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